

Notice of Allowability

Application No.

10/000,268

Examiner

David Q. Nguyen

Applicant(s)

MAZZARA, WILLIAM E.

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/28/05.
2. ☒ The allowed claim(s) is/are 1-8, 10-13, 15-18 and 20 (renumbered as 1-17, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Frank C. Nicholas on 11/10/05.

3. The application has been amended as follows:

Claim 1. (Currently Amended) A method of providing a wireless service connection for a mobile vehicle comprising:
prioritizing a portion of a system access list based on a channel identifier in a first band;

selecting a secondary channel that is not in the system access list portion in response to failed connection notification from channels in the system access list portion, wherein the connection notification comprises a rejection of a call origination and wherein the connection notification comprises a rejection of an attempt to register with a carrier; and

accessing a contract carrier using a cleared connection number in response to a failed connection notification on the secondary channel.

Claim 11. (Currently Amended) A computer usable medium including a program for providing a wireless service connection for a mobile phone comprising:

computer program code for prioritizing a portion of a system access list based on a channel identifier in a first band;

computer program code for receiving a failed connection notification on a primary channel of the system access list portion;

computer program code for selecting a secondary channel of the system access list

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portion in response to the failed connection notification on the primary channel; and
computer program code for accessing a contract carrier using a cleared connection number in response to a failed connection notification on the secondary channel.

Claim 16. (Original) A wireless service connection system for providing a wireless service connection for a mobile phone comprising:

means for prioritizing a portion of a system access list based on a channel identifier in a first band;

means for receiving a failed connection notification on a primary channel of the system access list portion;

means for selecting a secondary channel of the system access list portion in response to the failed connection notification on the primary channel; and

means for accessing a contract carrier using a cleared connection number in response to a failed connection notification on the secondary channel.

Claims 9,14,19 and 21-24 have been cancelled.

Allowable Subject Matter

4. Claims 1-8,10-13,15-18 and 20 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1,11 and 16, the closest prior arts, Molne (US 5,999,811) and Kakinuma et al. (US 5,983,097), either singularly or in combination, fail to anticipate or render obvious that "accessing a contract carrier using a cleared connection number in response to a failed connection notification on the secondary channel", in combination with all other limitations in the claims as argued by Applicants in Appeal Brief filed 09/28/05.

Claims 2-8 and 10 depend on claim 1. Therefore, they are allowed.

Claims 12-13 and 10 depend on claim 11. Therefore, they are allowed.

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Claims 17-18 and 20 depend on claim 16. Therefore, they are allowed.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David Nguyen


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER